

## **WILKINSBURG BOROUGH COUNCIL MEETING**

**Legislative Session**

**December 15, 2010**

### **CALL TO ORDER**

President Moore called the meeting to order at approximately 7:10 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkesburg, PA.

### **ROLL CALL**

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin and President Moore. Also present were Marla P. Marcinko, Borough Manager, and Isobel Storch, Esquire from the Law Offices of Patricia McGrail, L.L.C., Borough Solicitor. Mr. Cohn and Mayor John Thompson were absent. A quorum was established.

### **PLEDGE OF ALLEGIANCE**

Following the pledge of allegiance, President Moore requested a moment of silence be observed for victims of violent crime in Wilkesburg and surrounding communities.

### **SPECIAL PRESENTATION**

#### **Urban League of Greater Pittsburgh – Initiatives for Wilkesburg**

Winford Craig, a senior staff member with the Urban League of Greater Pittsburgh (ULGP) and member of the Weed & Seed Aid Team, addressed Council with regard to proposed collaborations between the ULGP and Wilkesburg Weed & Seed. He presented information on several programs including a housing program, Homeless Prevention and Rapid Re-Housing Program (HPRP) which the ULGP is proposing to bring to Wilkesburg. The program pays rent and utilities for one year for those who are homeless or threatened with homelessness.

(Mayor John Thompson arrived at 7:18 PM)

Mr. Craig commented that the ULGP is not seeking funding from the Borough and that their goal in the community is to help families to become economically self-reliant. Mr. Craig requested the support of Council by sanctioning this collaborative. Mr. Craig advised that the ULGP would like to lease office space in the Borough building, specifically in the Weed & Seed office, in order to establish a location in which to operate the program(s). He also commented about the ULGP's Mature Workers' Program for seniors age fifty-five (55) plus in which the Borough already participates and the possibility to expand the program in Wilkesburg as part of the HPRP collaborative.

Ms. Ervin questioned whether the HPRP program is similar to the County's homeless prevention program.

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Ms. Macklin questioned which federal stimulus program provided the funding.

Ms. McCarthy-Johnson questioned what the ULGP is seeking from the Borough. Mr. Craig advised that they are seeking to lease office space.

President Moore commented that this appears to be a good opportunity for the Borough and expressed her support of the collaboration. She advised Mr. Craig that Council would take the request under consideration.

**“Blessings in a Backpack”**

Linda Lafferty addressed Council regarding a program she would like to start in Wilkinsburg. Ms. Lafferty expressed having fond memories of Wilkinsburg as a resident and having raised her children in the Borough. The “Blessings in a Backpack” program provides children with a backpack of non-perishable and easy to prepare food items on Friday for the weekend. Children return the backpack on Monday to be filled again for distribution on Friday. The program will start at Johnson School for qualified families. She has received a commitment from WalMart for a partnership. Ms. Lafferty advised that she is seeking to raise funds to operate the program at a cost of \$2,500 per month or approximately \$80.00 per child. Her target date to commence the program is February, 2011 if she is able to raise enough money to operate the program through the end of the year. Ms. McCarthy-Johnson offered her contact information for suggestions on who to contact for donations. Ms. Lafferty advised that she has contacted businesses in Wilkinsburg and Monroeville and has been disappointed with the lack of response. Johnson School would be the pilot program and Ms. Lafferty expressed her desire to expand the program to other elementary schools in the Borough. President Moore thanked Ms. Lafferty for her commitment. Ms. Macklin directed Ms. Lafferty to John Irwin with the Chamber of Commerce.

**PUBLIC COMMENT**

**Lisa Hart – 1101 Swissvale Ave.** – Ms. Hart questioned whether staffing in the police department had been reduced. Mayor Thompson responded that what had been reported in the media had been a fabrication of the facts. Mayor Thompson advised that there was never any intent to reduce manpower to two officers per shift; however management has the right to set the manpower level on any given shift in order to control overtime costs. Mayor Thompson advised that at no point in time are only two officers scheduled per shift. Ms. Hart commented that she understood staffing levels are low in the police department. Chief Coleman acknowledged receiving calls directly from Ms. Hart when she experiences a problem and Ms. Hart acknowledged that Chief Coleman responds immediately. Chief Coleman commented that she was surprised to receive these comments at a public meeting when Ms. Hart had never expressed these concerns to her privately. Chief Coleman commented on the news piece in the media and the apparent effort of such to create hysteria in the community. Chief Coleman clearly communicated that the Borough is not reducing staffing levels in the police department and commented

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on the difference between manpower and staffing levels. Chief Coleman commented on her commitment to the community and that she would not take any action which would be to the detriment of the safety of the residents of the community. Chief Coleman read aloud the directive issued to police department staff dated December 10, 2010 regarding staffing levels. Chief Coleman also read aloud the letter sent to Borough officials by the business agent for the Teamsters as well as the response to that letter which was issued by the Borough's special labor counsel. Chief Coleman commented on the suspicious time line relating to the release of this information as well as the mean-spirited nature of this effort. Chief Coleman commented on the need for responsible people and journalists. She further commented that she has consistently supported the hiring of additional officers and that the bargaining unit for the police department has never approached Borough Council in this forum to request additional officers be hired. Mayor Thompson encouraged residents to understand that he and the Council members are also residents of the community and that he would never support a reduction in police officers but does support a reduction in manning where warranted.

Ms. Macklin commented on her efforts to increase the number of police officers in the department and that the 2011 budget provides for the hiring of two additional full-time officers as well as part-time officers.

President Moore commented on the rumor she had heard regarding Council members meeting with a police chief in a neighboring community and assured that Chief Coleman would remain in Wilkinsburg and that she has been unfairly under attack.

Ms. McCarthy-Johnson suggested that the letter issued by the union should be reviewed by legal counsel to determine if any action needs to be taken.

**Gail Hawthorne 520 Kelly Ave.** – Ms. Hawthorne also heard the news piece and was initially concerned with its content. She commented on Chief Coleman's work in the community and thanked the Chief for her efforts. Ms. Hawthorne inquired about the tax preparation assistance sponsored by the Library and expressed her displeasure that the tax collector does not have regular hours in the Borough building. She further commented that street cleaning is not being performed properly and problems with garbage and tree limbs in the street.

Ms. Evans advised that the Wilkinsburg Community Development Corporation holds Business District Safety meetings and that the Public Safety meetings are held every month near Kelly Avenue at St. Stephens from 2:00 to 4:00PM and 5:00 to 7:00 PM which are attended by police officers. Mr. Lefebvre announced that the Public Safety Committee meets the third Wednesday of each month at 5:30 PM.

**Bill Leverette – 707 Pitt St.** – Mr. Leverette commented on difficulties experienced with parking in the 700 block of Pitt St. Residents do not have any place to park on street cleaning days as the adjacent block is residential parking and they receive tickets when parked there. Mr. Leverette advised that the Masons Lodge is sponsoring a toy give-a-

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way as part of Toys for Tots and that the event is being held on December 18, 2010.

**Blyden Terrey – 601 Wallace Ave.** – Expressed sharing a positive relationship with the Wilkinsburg Police Department as well as the responsiveness of Chief Coleman and the positive responses by police officers.

**Sylvia Berry – 1912 Fairlawn Ave.** – Ms. Berry thanked Chief Coleman for the wonderful job she has done with the police department. She commented on the professionalism of the officers and the quick response she has received from the officers. She also thanked Chief Coleman for her clear explanation of the recent media reports.

**ORDINANCES ON FIRST READING**

**Ordinance No. 2855**

**Providing for the regulation of disruptive properties and providing for enforcement and penalties.**

**Moved:** Ms. Evans

**Second:** Ms. McCarthy-Johnson

Ms. Ervin questioned the date when this ordinance was last presented to Council for review. Ms. Marcinko could not recall the specific date. Ms. Evans questioned whether the ordinance had been reviewed by the Public Safety Committee. Ms. Marcinko advised that it had.

**Yes:** Ms. McCarthy-Johnson, Mr. Lewis, Ms. Trice, Ms. Evans, Mr. Lefebvre, Ms. Macklin, President Moore

**Abstain:** Ms. Ervin

**Motion carried 8:0 with one abstention**

**Ordinance No. 2856**

**Establishing a Handicap Parking Space – 418 Hampton Ave.**

**Moved:** Mr. Lefebvre

**Second:** Ms. McCarthy-Johnson

**Yes:** Ms. Macklin, Ms. McCarthy-Johnson, Mr. Lewis, Ms. Trice, Mr. Lefebvre, Ms. Evans, Ms. Ervin, President Moore

**Motion carried**

**Ordinance No. 2857**

**Establishing a Handicap Parking Space – 706 Coal St.**

**Moved:** Mr. Lefebvre

**Second:** Ms. McCarthy-Johnson

**Yes:** Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr.

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Lefebvre, Ms. Ervin, President Moore

**Motion carried**

**Ordinance No. 2858**

**Establishing one-way westbound travel restrictions on Hill Ave. between Swissvale Avenue and Wood Streets and one-way northbound travel restrictions on Mill Street between Penn Avenue and Glenn Avenue.**

**Moved:** Mr. Lewis

**Second:** Mr. Lefebvre

**Yes:** Mr. Lewis, Ms. McCarthy-Johnson, Mr. Lefebvre, Ms. Evans, President Moore

**No:** Ms. Macklin, Ms. Ervin, Ms. Trice

**Motion carried 5:3**

**ORDINANCES ON SECOND READING**

**Ordinance No. 2854**

**Establishing the tax rate for Fiscal Year 2011.**

**Moved:** Ms. Evans

**Second:** Ms. McCarthy-Johnson

**Yes:** Ms. Evans, Ms. Trice, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre,  
President Moore

**No:** Ms. Ervin, Mr. Lewis

**Motion carried 6:2**

**RESOLUTIONS**

**10-114**

**Approving October Checks Issued in the amounts as follows:**

<b>Regular Distributions 10/01/10 – 10/31/10</b>	<b>\$1,579,006.10</b>
<b>Payroll Disbursements</b>	<b>\$ 339,826.23</b>
<b>Voided Checks</b>	<b><u>\$ (3,533.00)</u></b>
<b>Total</b>	<b>\$1,915,299.33</b>

**Moved:** Ms. Evans

**Second:** Mr. Lefebvre

**Yes:** Ms. McCarthy-Johnson, Ms. Evans, Mr. Lefebvre, President Moore

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**No:** Mr. Lewis, Ms. Trice, Ms. Ervin, Ms. Macklin

**With the vote ending in a tie, Mayor Thompson voted in favor of the motion.**

**Motion carried 5:4**

**10-122**

**Adopting the 2011 Municipal Budget.**

**Moved:** Ms. Evans

**Second:** Mr. Lefebvre

**Yes:** Ms. McCarthy-Johnson, Ms. Evans, Mr. Lefebvre, President Moore

**No:** Mr. Lewis, Ms. Trice, Ms. Ervin, Ms. Macklin

**With the vote ending in a tie, Mayor Thompson voted in favor of the motion.**

**Motion carried 5:4**

**10-123**

**Approving Council Meeting Minutes of 11/03/10 and 11/17/10**

**Moved:** Mr. Lewis

**Second:** Ms. McCarthy-Johnson

**Yes:** Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, Ms. Ervin, Ms. Evans, Ms. Trice, President Moore

**Motion carried**

**10-124**

**Approving November Checks issued in the amounts as follows:**

Regular Distributions	\$ 420,137.89
Payroll Disbursements	\$ 368,658.05
Voided Checks	\$ <u>(3,701.25)</u>

Total	\$ 785,094.69
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**Moved:** Ms. Evans

**Second:** Mr. Lefebvre

**Yes:** Ms. McCarthy-Johnson, Mr. Lefebvre, Ms. Evans, President Moore

**No:** Ms. Trice, Mr. Lewis, Ms. Macklin, Ms. Ervin

**With the vote ending in a tie, Mayor Thompson voted in favor of the motion.**

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**Motion carried 5:4**

**10-125**

**Approving Refuse Collection Agreement – City of Pittsburgh**

**Moved:** Ms. Ervin

**Second:** Mr. Lefebvre

President Moore requested clarification be obtained on those accounts being serviced by the City of Pittsburgh.

**Yes:** Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, Council President Moore

**Motion carried**

**10-126**

**Authorizing Municipal Service Fee Billing Services to TCVCOG – for residential premises within the Borough of Wilkinsburg containing five (5) or fewer dwelling units.**

**Moved:** Mr. Lefebvre

**Second:** Ms. Evans

Ms. Ervin questioned whether the agreement had been finalized. Ms. Marcinko advised that the agreement has not yet been finalized. The agreement had not been put into a final document. Ms. Marcinko advised that the Borough may still accept MSF payments in the Finance Department and residents will not be required to go to the TCVCOG office to make payments. Most payments will be mailed to the TCVCOG office. Ms. Trice questioned whether any problems/issues are anticipated with SEIU. Ms. Marcinko commented on the subcontracting issue. Ms. Trice questioned whether the costs for the billing service would be paid by the resident or the Borough. Ms. Marcinko advised that the 2011 budget reflects that those costs will be paid by the Borough. Ms. Macklin suggested discussing the subcontracting issue with SEIU.

**Yes:** Ms. Macklin, Ms. McCarthy-Johnson, Mr. Lewis, Ms. Trice, Mr. Lefebvre, Ms. Evans, President Moore

**No:** Ms. Ervin

**Motion carried 7:1**

**10-127**

**Approving Subdivision Plan – United Methodist Church**

**Moved:** Mr. Lefebvre

**Second:** Ms. Macklin

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**Yes:** Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, President Moore

**Motion carried**

**10-128**

**Approving Subdivision Plan – Pittsburgh History & Landmarks Foundation for properties identified as 176-H-70 and 176-H-72 on Rebecca Avenue.**

**Moved:** Mr. Lefebvre

**Second:** Ms. McCarthy-Johnson

**Yes:** Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Mr. Lefebvre, Ms. Macklin, Ms. Ervin, President Moore

**Motion carried**

**10-129 Appointing Susan Holmes to the Community Art & Civic Design Commission to serve a one-year term commencing on June 1, 2010 and continuing through May 31, 2011.**

**Moved:** Ms. Trice

**Second:** Mr. Lewis

**Yes:** Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, President Moore

**Motion carried**

**10-130**

**Reappointing Carl Lewis to the Wilkinsburg Penn Joint Water Authority for a six year term commencing on February 1, 2011 and continuing through January 31, 2017.**

**Moved:** Ms. Trice

**Second:** Ms. Macklin

Mr. Lefebvre requested to table the motion until a written legal opinion is obtained from the Solicitor to determine whether a violation of the Ethics Code or conflict of interest exists as the position is a paid position, the Authority conducts business with the Borough and Board members receive other benefits besides compensation. President Moore agreed that Council should look into this issue. Mr. Lewis advised that he is not opposed to obtaining a legal opinion as he is the only member of a twelve member Board who does not accept compensation. Ms. Macklin questioned whether other Authority board members serve on an elected body. Ms. Ervin questioned whether a vote is needed to obtain an opinion from the Solicitor. Solicitor Storch advised that Council President



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could make the request. President Moore requested that the Solicitor provide her opinion.

**Yes: Ms. McCarthy-Johnson, Ms. Evans, Ms. Ervin, Mr. Lefebvre, President Moore**

**No: Mr. Lewis, Ms. Macklin, Ms. Trice**

**Motion carried 5:3**

**10- 131**

**Reappointing Tracey Evans to the Wilkinsburg Municipal Authority to serve a five-year term which shall commence on February 1, 2011 and continue through January 31, 2016.**

**Moved: Mr. Lefebvre**

**Second: Ms. Trice**

**Yes: Ms. Ervin, Ms. Evans, Ms. Trice, Mr. Lewis, Ms. McCarthy-Johnson, Ms. Macklin, Mr. Lefebvre, President Moore**

**Motion carried**

**10-132**

**Reappointing Albert Johnson to the Zoning Hearing Board for a four year term commencing on February 1, 2011 and continuing through January 31, 2015.**

**Moved: Ms. Trice**

**Second: Ms. McCarthy-Johnson**

**Yes: Ms. Macklin, Ms. McCarthy-Johnson, Mr. Lewis, Ms. Trice, Mr. Lefebvre, Ms. Evans, Ms. Ervin, President Moore**

**Motion carried**

Ms. Macklin commented on an article written about Mr. Johnson and his participation in the armed forces and the Tuskegee Airmen.

**OLD BUSINESS**

Ms. Macklin commented on a petition from residents on Marlboro Avenue regarding excessive speed and a request for the installation of rumble strips at a cost of approximately \$5,000.

Ms. Macklin questioned whether a plan had been developed to ensure compliance for 6+ unit refuse collection.

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Ms. Macklin requested a listing of businesses paying the Business Privilege Tax and that the report be provided to full Council, preferably in an excel format.

Ms. McCarthy-Johnson announced the toy giveaway scheduled for December 18, 2010 and Wilkinsburg Caroling which will be held from 6-7 PM on Saturday December 18, 2010.

Mr. Lewis reported that WPJWA passed the 2011 budget with no rate increase for 2011. Mr. Lewis commented on pending legislation which will take effect in January, 2011 relating to requirements for sprinkler systems for new construction single family homes. President Moore expressed her appreciation for Mr. Lewis' work as a Director on the WPJWA Board.

Mr. Lewis commented on the number of calls he receives regarding water service issues.

**NEW BUSINESS**

President Moore wished everyone a happy holiday.

Ms. Evans announced that the Sprout Fund held an event on bio-diversity grants and that ACTION Housing has received funding to plant sunflowers on a vacant lot on Peebles St. Ms. Evans commented on a forum discussion she attended at the August Wilson Center. In that forum she learned that 40% of Pennsylvania's population lives in a financially distressed community. Ms. Evans commented Wilkinsburg should be commended on attaining its current financial status.

President Moore requested that everyone keep Mr. Cohn's mother in their thoughts.

**ADJOURNMENT**

Being no further business, on motion by Mr. Lewis, second by Ms. McCarthy-Johnson the meeting was adjourned at approximately 9:04 PM.

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Eugenia Moore, Council President